

**MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK**

**January 5, 2005**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m. January 5, 2005, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1; Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain)

**PERSONNEL AGENDA**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to approve Flood Control District Personnel Agenda (Exhibit C). Exhibit C will be found at the end of this set of minutes.

**EASEMENTS, RIGHT-OF-WAY AND RELOCATION DOCUMENTS**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to approve easements, right-of-way documents, relocation assistance, and appraisal services contracts under \$5,000 per resolution FCD 87-12; escrow instructions per resolution FCD 87-13; license procedures and fee schedules per resolution FCD 97-02; and payment of tax notices per resolution FCD 97-07 for Flood Control purposes. (ADM1910)

**McMicken Dam Fissure Risk Zone Remediation (Per Resolution 2002R017)**

Item A023.002, Right-of-Way from the State of Arizona to the Flood Control District of Maricopa County.

**Property Management – Bethany Home Outfall Channel (Per Resolution FCD 1999R016)**

Item A002.002, Transmission Line Easement from the Flood Control District of Maricopa County to the Salt River Project Agricultural Improvement and Power District for the sum of \$9,000.00.

**IGA WITH MARICOPA COUNTY AND THE US ARMY CORPS OF ENGINEERS**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to approve Intergovernmental Agreement (IGA) Amendment FCD 2004A013A to IGA FCD 2004A013 between the Flood Control District of Maricopa County (District) and the United States Army Corps of Engineers (ACOE) for the feasibility cost-sharing agreement of the Trilby Wash Maricopa County Arizona Feasibility Study (McMicken Dam). (C6905032201)

**AMENDMENT TO CAPITAL IMPROVEMENT PLAN**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to approve an administrative amendment to agenda item C6905057M00 dated October 20, 2004. This amendment is necessary to correct the adjustments requested to the Flood Control District's Capital Improvement Plan (Fund 990, Dept. 690), FY 2004-05 due to the fact that the original project budgets were incorrect on the list attached to that item. The original project budgets should have reflected the

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adopted budget but did not. The Board of Directors approved the following adjustments: (C6905057M01) (ADM1900-003)

Project F022-City of Chandler-Increase by \$9,000 project F027-City of Scottsdale-Decrease by \$20,000  
Project F117-S. Phoenix Drainage Improvements-Decrease by \$47,000  
Project F120-Paradise Valley, Scottsdale, Phoenix-Increase by \$45,000  
Project F121-East Maricopa Floodway-Increase by \$1,965,000  
Project F129-Arlington Valley-Increase by \$227,000  
Project F201-White Tanks Dam-Decrease by \$30,000  
Project F202-McMicken Dam-Decrease by \$583,000  
Project F207-Buckeye #1-Decrease by \$20,000  
Project F362-Skunk Creek-Increase by \$110,000  
Project F400-Skunk Creek / New River-Decrease by \$3,194,000  
Project F420-Spook Hill ADMP-Increase by \$50,000  
Project F442-East Mesa ADMP-Decrease by \$1,464,000  
Project F450-Glendale / Peoria ADMP-Decrease by \$221,000  
Project F470-White Tanks ADMP-Decrease by \$1,682,000  
Project F480-Queen Creek ADMP-Increase by \$162,000  
Project F491-Higley ADMP-Increase by \$10,000  
Project F565-Durango ADMP-Increase by \$1,089,000  
Project F580-ACDC ADMP-Increase by \$40,000  
Project F590-Scatter Wash Channel-Increase by \$10,000  
Project F620-Maryvale ADMP-Increase by \$597,000  
Project F625-Metro ADMP-Decrease by \$1,182,000  
Project FCPR-Reserve-Increase by \$1,049,000  
Non-Project-Increase by \$3,080,000  
The net impact on the District's FY 2005 Capital Improvement Program Budget is \$0.

**CONTRACT WITH JE FULLER/HYDROLOGY & GEOMORPHOLOGY, INC**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to award Contract FCD 2004C044, On-Call Emergency Action Plans for Flood Retarding Structures and Dams, to JE Fuller/Hydrology & Geomorphology, Inc. This contract will be effective for a period of seven hundred thirty (730) calendar days from the date of execution or until the contract expenditure of \$250,000.00, whichever occurs first. The Flood Control District of Maricopa County (District) and JE Fuller/Hydrology & Geomorphology, Inc. will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each work assignment prior to the notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C6905068500)

**IGA WITH PHOENIX FOR EQUESTRIAN GATES IN SCATTER WASH**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to approve the Intergovernmental Agreement (IGA) FCD 2004A021 for the Design, Fabrication, Installation, and Operation and Maintenance of Limited Access Equestrian Gates located between 37th Avenue and 41st Avenue in the Scatter Wash, in Phoenix, Arizona, between the Flood Control District of Maricopa County and the City of Phoenix. The IGA identifies roles and responsibilities of both parties so that the

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District can allow this installation to occur within the Scatter Wash. The City has agreed to be responsible for any and all aspects of design, fabrication, installation and operation and maintenance of the limited access equestrian gates. This IGA will be effective for fifty (50) years from the date of recordation. (C6905073200)

**CONTRACT WITH WOOD PATEL & ASSOCIATES**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to award Contract FCD 2004C045, On-Call Engineering, Landscaping, Planning, and Surveying Services, to Wood, Patel and Associates (Consultant). The Contract will be effective for seven hundred thirty (730) calendar days from the date of execution or until the contract expenditure of \$250,000.00, whichever occurs first. The Flood Control District of Maricopa County (District) and the Consultant will mutually agree to a detailed scope of work for each work assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each Work Assignment prior to the notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C6905074500)

**SALE OF EXCESS PARCELS**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to approve and authorize the Chair to sign necessary documents for the sale of excess parcels APN #149-36-458, 459, 460, 461, 462, 463, 464, and 465 to Newcourt Properties, LLC for \$785,000.00. (C6905077B00) (ADM1903-002)

**CONTRACT WITH EDAW INC**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to award the following contract FCD 2004C033 for On-Call Landscape Architectural Services to EDAW, Inc., in the amount of \$500,000. This contract is for the not-to-exceed amount stated above, or for seven hundred thirty (730) calendar days from the date of award, whichever occurs first. The Flood Control District of Maricopa County (District) and the Consultant will mutually agree to a detailed scope of work for each assignment prior to the commencement of any work. A not-to-exceed fee will be negotiated for each Work Assignment prior to the notice to proceed with each assignment. This negotiated fee will be in accordance with the rates included as Exhibit B to the contract. (C6905079500)

**CALL FOR BIDS AND AWARD CONTRACT FOR EAST MARICOPA CHANNEL LINING REPLACEMENT**

Motion was made by Director Wilcox, seconded by Director Kunasek, and unanimously carried (5-0) to authorize advertisement of the Invitation for Bids of Contract FCD 2004C050, East Maricopa Floodway (EMF) Channel Lining Replacement (Project) (PCN 121.04.31) and award of the contract to the lowest responsible bidder if the bid is not more than ten percent (10%) over the engineer's estimate. Also, approve revenue and expenditure budget adjustments to the Flood Control District of Maricopa County (District) Capital Improvements Program (CIP) Fund 990 by reducing Transfers In by \$150,000 and reducing Project Reserves by \$150,000. These adjustments will be offset by an increase in revenue and expenditures in the District Eliminations Fund 900 by \$150,000. The net effect to the District's total budget is \$0. This action will require an appropriation adjustment reducing the revenue and expenditure budget

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of Dept 690 Fund 990 and increasing the revenue and expenditure budget of Dept 690 Fund 900 by \$150,000. (C6905080500)

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board